UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS EASTERN DIVISION BOSTON

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) Civil Action No.: 04-12233(LTS)
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ASSENTED TO MOTION TO EXTEND DISCOVERY DEADLINE AND TO CONTINUE STATUS CONFERENCE

Now come the Parties in the above-captioned action, and hereby respectfully request this Honorable Court to extend the September 30, 2005, discovery deadline to January 6, 2006, and to continue the Status Conference in this matter to a date that is consistent with this Court's calendar. The Status Conference is currently scheduled for Monday, November 14, 2005, 2:15 P.M.

Reasons for this Motion are as follows:

- Although much discovery has been exchanged, additional documents and information are in the process of production. Said documents and information are necessary to effectuate settlement and/or prepare for trial;
- 2. The parties have agreed to extend the discovery deadline;

3. Therefore, as additional time is required to complete depositions, discovery and to narrow the issues in dispute in this matter, the Parties have agreed to continue the November 14, 2005, Status Conference.

WHEREFORE, the Parties respectfully request this Honorable Court to extend the discovery until January 6, 2006, and to continue the Status Conference to a date that is consistent with this Court's calendar.

Assented to: The Plaintiff, By her Attorneys

/s/ Thomas J. Joyce, III THOMAS J. JOYCE, III, ESQUIRE Public Ledger Building 150 S. Independence Mall West **Suite 1000** Philadelphia, PA 19106 (215) 446-4460

/s/ Michael J. McDevitt MICHAEL J. McDEVITT, ESQUIRE Local Counsel (BBO #564720) Lawson & Weitzen, LLP, 88 Black Falcon Avenue, Suite 345 Boston, MA 02210 (617) 439-4990

The Defendant, By its Attorney

/s/ Paul J. Sahovey PAUL J. SAHOVEY, ESQUIRE MBTA Law Department Ten Park Plaza Boston, MA 02116 (617) 222-3189

Date: November 9, 2005